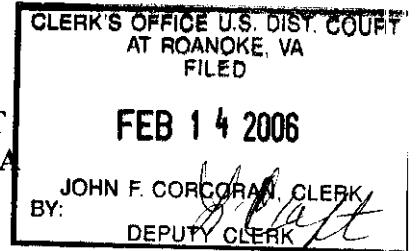


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



BRYAN K. BEATTY,
Plaintiff,

v.

GENE JOHNSON, et al.,
Defendant(s).

Civil Action No. 7:02-cv-00506

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendants' motion to dismiss on the ground that the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. § 2000cc, et. seq. is unconstitutional shall be and hereby is **DENIED**, but defendants' motion for summary judgment is hereby **GRANTED**, and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 14th day of February, 2006.

[Signature: James C. Turk]
Senior United States District Judge